

### REMARKS

Claims 1-15 are pending in the present application. Reconsideration of the claims is respectfully requested. An appendix of current claims is included for the Examiner's convenience.

#### **I. 35 U.S.C. § 102, Anticipation**

The examiner has rejected claims 1-5, 7, 9-14 under 35 U.S.C. § 102(e) as being anticipated by *Brusky et al.*, (U.S. Patent No. 5,903,259). This rejection is respectfully traversed.

In response to Applicants' arguments filed October 25, 2001 and received by the Patent and Trademark Office January 18, 2002, the Examiner made the following remarks:

Applicant's arguments filed 01/18/2002 have been fully considered but they are not persuasive. Applicant's arguments prior art fails to teach a wireless keyboard controlling a plurality of computers, Examiner would like to point out (in Col. 8 lines 5-8) that wireless keyboard controlling plurality of device (electronics device as a plurality of computers), Further Applicant's argument that mouse as the wireless input device not taught by *Brusky*, Examiner would like to point out (In Col. 4 lines 12-13) that a input device could use such as a mouse device and further In Application drawings nowhere its shows a mouse as a input device, all it illustrates as a keyboard controlling plurality of devices.

The Examiner apparently argues that a computer or data processing system is an electronic device and since *Brusky* teaches controlling both a computer and an attached electronic device with a wireless keyboard, *Brusky* anticipates the presently claimed invention. Applicants respectfully disagree.

Each of the independent claims recites either a computer selector to allow a user to select a particular data processing system to use or a selection of a particular data processing system to use. *Brusky* does not teach a selector or a selection of a particular data processing system from a plurality of data processing systems. Instead, what *Brusky* teaches is using a single wireless keyboard to control *different types* of devices, such as a

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single data processing system and a VCR, or a single data processing system and a television, for example:

In view of the limitations and shortcomings of the aforementioned separate IR remote control and wireless computer keyboard, as well as other disadvantages not specifically mentioned above, it is apparent that there exists a need for a wireless or IR keyboard that is adapted to send standard make-break signals to an IR receiver associated with a computer, but also be adapted to transmit IR signals in a format that can be accepted and understood by an IR receiver associated with a television, VCR, CD player, stereo system or other remotely controlled device that is either associated with the computer or separate from the computer.

The present invention may provide schemes to map non-computer related remote commands into a wireless keyboard so that a converged electronic device can be controlled by a computer when the mapped commands are received by the computer from the computer keyboard. [col. 2, lines 27-44].

Thus, *Brusky* teaches a keyboard that has, for example, a "TV mode" and a "computer mode," so that the keyboard sends television remote control signals while in one mode, but wireless computer keyboard signals in the other mode:

The advantage of a wireless computer keyboard configured to have remote control functionality mapped into it is that a user could be working on or preparing a document in PC mode and decide to switch to TV mode. At this time, the user would not have to put the wireless computer keyboard down, then find and pick up the television remote control to operate the system in TV mode. Instead, the wireless keyboard could be used as the television remote control as well. Channels could be changed, volume could be adjusted, etc. [col. 5, lines 35-44].

Nowhere does *Brusky* teach or suggest including a selector that allows a user to select one of a plurality of the same type of device (such as two or more computer systems or even two or more televisions) to work with. The *Brusky* input device may be configured to choose between different types of devices to control, but not different instances of the same type of device. Thus, the presently claimed invention is patentably distinct from *Brusky* in that the independent claims of the present application are directed toward selecting one of a plurality of data processing systems (i.e., the same type of device), since *Brusky* teaches only a selection between devices of different types (e.g.,

between a computer and television). Therefore independent claims 1, 7, and 13 are patentable over *Brusky*.

Since claims 2-5, 9-12, and 14 depend from claims 1, 7, and 13, the same distinctions between *Brusky et al.*, (U.S. Patent No. 5,903,259) and the claimed invention in claim 1 for these claims. Consequently, it is respectfully urged that the claims 2-5, 9-12, and 14 are in condition for allowance. Applicants respectfully submit that claims 1-5, 7, and 9-14 are in condition for allowance. Applicants respectfully request that claims 1-5, 7, and 9-14 be allowed.

Furthermore, *Brusky* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. *Brusky* is directed toward controlling non-computer devices with a wireless keyboard, which is a different problem than the present invention's controlling a plurality of computers with a wireless device. *Brusky* actually teaches away from the presently claimed invention because it teaches controlling a single computer opposed to selecting from a plurality of computers as in the presently claimed invention. Absent some teaching, suggestion, or incentive to modify *Brusky* to allowing selecting from a plurality of computers, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

## II. 35 U.S.C. § 103, Obviousness

The examiner has rejected claims 6, 8, and 15 under 35 U.S.C. § 103 as being obvious in light of *Brusky et al.*, (U.S. Patent No. 5,903,259) and *Sidlauskas et al.*, (U.S. Patent No. 6,133,833). This rejection is respectfully traversed.

If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Claims 6, 8, and 15 are dependent claims that depend on independent claims 1, 7, and 13. Applicants have already demonstrated claims 1, 7, and 13 to be in condition for allowance. Applicants respectfully submit that claims 6, 8, and 15 are also allowable, at least by virtue of their dependency on allowable claims. Furthermore, claims 6, 8, and 15 recite additional subject matter not suggested by the references. For example, claim 6 recites selecting one of a plurality of radio frequencies, wherein each of

the frequencies corresponds to a separate one of the plurality of data processing systems. This feature is neither taught nor suggested by the references. (*Sidlauskas*, which is cited by the Examiner, merely describes using different excitation and response frequencies in a radio-frequency identification system; there are no data processing systems associated with the frequencies).

For the foregoing reasons, Applicants submit that claims 6, 8, and 15 are patentable over the references. Accordingly, Applicants respectfully request that claims 6, 8, and 15 be allowed.

### III. Conclusion

It is respectfully urged that the subject application is patentable over the references and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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**Appendix of Current Claims**

1. A wireless computer peripheral input device for use with a data processing system, the input device comprising:
  - a wireless transmitter for transmitting signals; and
  - a selector for selecting a one of a plurality of data processing systems with which to operate, wherein invoking the selector causes a signal to be transmitted from the wireless transmitter.
2. The input device as recited in claim 1, wherein the input device is a keyboard.
3. The input device as recited in claim 1, wherein the input device is a computer mouse.
4. The input device as recited in claim 1, wherein the wireless transmitter is an infrared transmitter.
5. The input device as recited in claim 1, wherein the wireless transmitter is a radio frequency transmitter.
6. The input device as recited in claim 5, wherein the selector allows selection of one of a plurality of radio frequencies, wherein each of the plurality of radio frequencies corresponds to a separate one of the plurality of data processing systems.
7. A computing system, comprising:
  - a plurality of data processing systems; and
  - a peripheral input device; wherein
  - the peripheral input device comprises a computer selector for selecting one of the plurality of data processing systems for interaction with the peripheral input device;
  - the peripheral input device comprises a wireless transmitter for providing communications with any of the plurality of data processing systems; and

each of the plurality of data processing systems comprises a wireless receiver for receiving wireless communications from the peripheral input device.

8. The computing system as recited in claim 7, wherein  
the wireless transmitter is a radio frequency transmitter;  
the wireless receiver is a radio frequency receiver;  
the wireless receiver of each of the plurality of data processing systems is tuned to accept input on a received radio frequency wherein the received radio frequency for each of the plurality of data processing systems is different from that of each of the other plurality of data processing systems; and

the computer selector allows selection of one of a plurality of radio frequencies wherein each of the plurality of radio frequencies corresponds one of the received radio frequencies.

9. The computing system as recited in claim 7, wherein the wireless transmitter is an infra-red transmitter wherein selection of one of the plurality of data processing systems is dependent upon the orientation of the peripheral input device.

10. The computing system as recited in claim 7, wherein the wireless transmitter is an infra-red transmitter wherein each one of the plurality of data processing systems ignores signals received from the peripheral input device unless a selection signal is received indicating selection of the one of the plurality of data processing systems.

11. The computing system as recited in claim 7, wherein the peripheral input device is a keyboard.

12. The computing system as recited in claim 7, wherein the peripheral input device is a computer mouse.

13. A method for accessing a plurality of data processing systems using a wireless input device, the method comprising:

receiving a selection of a particular data processing system of the plurality of data processing systems;

transmitting a signal from the wireless input device to only activate the particular data processing system within the plurality of data processing systems; and

sending data from the wireless input device to the particular data processing system after transmitting the signal to the particular data processing system.

14. The method as recited in claim 13, wherein the signal is a code recognized by the particular data processing system.

15. The method as recited in claim 13, wherein the signal is a frequency recognized by the particular data processing system.